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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION
14

15 THE CITY AND COUNTY OF SAN
16 FRANCISCO, CALIFORNIA and THE
PEOPLE OF THE STATE OF
17 CALIFORNIA, Acting by and through San
Francisco City Attorney DAVID CHIU,

18 Plaintiffs,

19 v.

20 PURDUE PHARMA L.P., et al.

21 Defendants.
22

Case No. 3:18-cv-07591-CRB

**PLAINTIFFS' FURTHER REPORT
REGARDING STATUS OF LITIGATION**

1 Plaintiffs the City and County of San Francisco and the People of the State of California,
 2 acting by and through San Francisco City Attorney David Chiu, submit this further report
 3 regarding the status of the litigation. As previewed in Plaintiffs' June 13, 2024 status report, the
 4 remaining Defendants in this action include the entities who have filed for bankruptcy—
 5 Mallinckrodt, Insys, and Purdue—along with the named members of the Sackler family.

6 Concurrent with the filing of this report, Plaintiffs filed a notice voluntarily dismissing
 7 Defendants Insys Therapeutics, Inc., Mallinckrodt LLC, Mallinckrodt plc, and SpecGx LLC.
 8 These Defendants have proceeded through bankruptcy and received a discharge of their pre-
 9 bankruptcy obligations.¹

10 As to the Purdue and Sackler Defendants, on June 27, 2024, the United States Supreme
 11 Court reversed the Second Circuit's affirmation of Purdue's bankruptcy plan that had provided
 12 for a nonparty release of the Sacklers. *Harrington v. Purdue Pharma L. P.*, 144 S. Ct. 2071, 2088
 13 (2024). Following remand, the Debtors moved the United States Bankruptcy Court for the
 14 Southern District of New York for an extension of the preliminary injunction staying litigation.
 15 Case No. 19-08289-shl, ECF 489 at 1 (June 27, 2024). The bankruptcy court granted Debtors'
 16 motion and appointed mediators to facilitate the negotiation of modifications to the Shareholder
 17 Settlement and related portions of the Purdue bankruptcy plan consistent with the Supreme
 18 Court's decision. Case No. 19-08289-shl, ECF 506 at 13-14 (July 10, 2024) & ECF 6537 at 4
 19 (July 10, 2024).² Mediated discussions regarding the potential resolution of the claims of state
 20 and local governmental entities, and other constituencies, are actively proceeding. The stay is
 21 currently set to expire on September 9, 2024. Plaintiffs therefore request an additional sixty days
 22 to allow the Sackler mediation process to conclude, to evaluate any forthcoming settlement, and
 23 to then propose next steps regarding these parties in a further status report.

24 _____
 25 ¹ The Endo Defendants' bankruptcy plan was approved on March 22, 2024. *See* MDL ECF 5509.
 26 Though Plaintiffs stipulated to a dismissal with prejudice of Endo Pharmaceuticals Inc., Endo
 27 Health Solutions Inc., Par Pharmaceutical, Inc., and Par Pharmaceutical Companies, Inc. following
 28 an executed settlement agreement (ECF 1577), Endo has not made any payment required under that
 settlement. Plaintiffs expect that any potential recovery from Endo will likely come through the
 bankruptcy plan.

² Although the Sackler defendants themselves had not—and have not—filed for bankruptcy,
 continuing litigation against the Sackler defendants is also stayed as part of the Purdue bankruptcy
 injunction. *Id.*; *see also* ECF 1293.

Finally, in the last report, Plaintiffs sought additional time to await the PEC's analysis of additional ARCOS data for the years 2015–2019. Plaintiffs understand that evaluation to be complete and do not intend to seek leave to add previously unnamed defendants at this time.

DATED: August 12, 2024

Respectfully submitted,

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